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SUBJECT: SHOW TRIAL RESUMES AMIDST ELECTION SEASON

REF: CARACAS 2215 AND PREVIOUS

Classified By: Robert Downes, Political Counselor,  
for Reason 1.4(b).

11. (U) The trial of opposition mayor Henrique Capriles Radonski resumed November 27. The timing of the trial's resumption occurred as the country's attention is universally focused on the December 3 presidential elections. The case has languished in the BRV judicial system for over four years and thirty different judges have at one point or another presided over the case. Poloff joined approximately 20 family members and 8 journalists allowed access into the courtroom. No other diplomatic missions or international organizations were represented at the trial.

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THREE MOTIONS HEARD  
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12. (U) Departing from the trend seen over the last years, the latest judge, Auristela Salazar Maldonado, acted quickly and authoritatively. She expeditiously addressed and dispatched three of the defense's motions. First, she authorized the defense to submit as testimony the statements of former Norwegian Ambassador to Venezuela Dag Mork-Ulnes. Second, Salazar threw out the three accomplice charges against Capriles, including false imprisonment, public intimidation, and damages to public property. Salazar ruled, however, that the three remaining charges merited further discussion: violation of international principles, illegal entry into a private building, and damage of private property. Third, Capriles's defense reiterated its request to have the trial televised. Toeing the same party line as previous judges, Salazar denied the request, indicating that the open doors to the courtroom symbolized an openness to the public. In reality, both on November 27 and previous sessions, no more than thirty people have been allowed inside the courtroom.

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COMMENT  
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13. (C) The admission of Mork-Ulnes's testimony and the dropping of three charges represent moderately positive developments for Capriles in this politically-motivated trial. The trial, however, remains a show trial. The denial of television coverage was expected and the BRV's claims that open doors are symbolic of a public presence is a typically shameful stance. The trial is scheduled to resume on December 6, three days after the presidential elections.

